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UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA - SAN FERNANDO VALLEY DIVISION

<b>IN RE</b>  Beverly Yvonne Luevano  DEBTOR	<b>CHAPTER 13</b> <b>CASE NO. SV13-15761-MT</b>  <b>TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN; DECLARATION; NOTICE OF POSSIBLE DISMISSAL OR CONVERSION</b>  <b>DATE/TIME: November 19, 2013 9:30 am</b> <b>21041 Burbank Blvd.</b> <b>Courtroom 302</b> <b>Woodland Hills, CA 91367-1367</b>
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The Trustee objects to confirmation of the plan because all requirements for confirmation as set forth in Title 11 of the United States Code and the Rules have not been met.

The Trustee requests, should all requirements not be met, that confirmation of the plan be denied, the case be dismissed or converted to Chapter 7 and for such other relief as the Court may deem appropriate.

**THE FAILURE OF THE DEBTOR (OR THE ATTORNEY FOR THE DEBTOR) TO APPEAR AT THE  
CONFIRMATION HEARING, OR TO FULLY COMPLY WITH ALL REQUIREMENTS FOR PLAN  
CONFIRMATION, MAY RESULT IN DISMISSAL OR CONVERSION OF THE CASE.**

DATED: October 28, 2013

/s/ Elizabeth Rojas

**I, Elizabeth Rojas, declare as follows:**

1. I am the Trustee in this matter, Beverly Yvonne Luevano, SV13-15761-MT, and I have personal knowledge of files and records kept by my office in the regular course of business. I have personally reviewed the files and records kept by my office in the within case. The following facts are true and correct and within my own personal knowledge and I could and would testify competently thereto if called upon to do so.
2. I object to confirmation of the proposed plan because of the deficiencies set forth in the attached which is incorporated herein by reference. These deficiencies existed prior to or at the time of the 11 USC §341(a) meeting in this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sherman Oaks, California on October 28, 2013.

/s/ Elizabeth Rojas

I oppose plan confirmation because the **Debtor has failed to:**

- schedule debts within the limits of 11 USC §109(e); and therefore **ineligible**; and/or Debtor is not eligible to be a Chapter 13 Debtor as follows:  
- **Potentially exceeds unsecured debt limit, must list approximate claim amts. for Sch.F, cannot be "unknown"**
- disclose** [11 USC §521, LBR 1017-1(b)]  
 assets     creditors     income     prior case
- serve all** creditors with notice and the Plan at least 28 days before the 11 USC §341(a) Meeting of Creditors, FRBPs 2002(b), 7004 and LBR 3015-1(b)(3);
- provide the Trustee **documentation of all income** (as well as any contributor's income) seven days before the §341(a) Meeting of Creditors. LBR 3015-1(c)(3), 11 USC § 521;  
- **2011 tax return**  
- **2012 tax return**  
- **do kids live w/debtor**  
- **debtor receives support/has income for kids**  
- **debtor turned over claim to DA**
- meet the **business reporting requirements** regarding Debtor's business or self-employment, LBR 3015-1(c)(4);
- provide to the Trustee completed copies of the Federal and State **income tax returns**, 11 USC § § 1308 and 521, LBR 3015-1(c)(3).  
- **2011 tax return**  
- **2012 tax return**
- propose a plan that is feasible 11 USC § 1325(a)(6); the plan is **infeasible** because  
 certain claims are not included and/or the amount provided is insufficient

<u>Creditor</u>	<u>Acct #</u>	<u>Class</u>	<u>Claim</u>	<u>Plan</u>	<u>Notes</u>
IRS		1/P	\$3,657	\$6,862	

- income is not sufficient enough to fund it
- plan payment will not retire debt within term
- the plan does not propose treatment and/or properly treat all scheduled, priority and/or secured creditors; and/or plan deficiencies as follows:  
- **dtr to do MTA/LAM mtn on 2nd TD w/**  
- **Beneficial**
- propose a plan that represents the Debtor's **best effort** 11 USC §1322; 11 USC §1325  
 unreasonable and/or unnecessary expenses are scheduled  
 the budget surplus exceeds the monthly plan payment  
 comply with the Means Test as required by the Code, In re Kagenveama, 541 F3d 868, and/or In re Lanning, 1330 S.Ct.2464

propose a plan that provides creditors as much as would be received under **Chapter 7**  
11 USC §1325(a)(4).

other issues as stated below:

- Trustee to request interlineations that all tax returns be submitted to the Trustee; all tax refunds to be submitted into the plan and the Debtor will not incur debt greater than \$500 without Court permission.
- provide schedule D to Trustee w/ complete account #s

**PROOF OF SERVICE**

**In Re: Beverly Yvonne Luevano  
Case No. SV13-15761-MT**

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

Elizabeth Rojas  
15060 Ventura Blvd.  
Suite 240  
Sherman Oaks, CA 91403

The foregoing document described as **TRUSTEE'S OBJECTION TO CONFIRMATION; NOTICE OF POSSIBLE DISMISSAL OR CONVERSION** will be served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

On October 28, 2013, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Beverly Yvonne Luevano  
11255 Califa Street  
North Hollywood, CA 91601

Rabin J Pournazarian  
15760 Ventura Blvd Ste 1100  
Encino, CA 91436

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: October 28, 2013

/s/ Patricia Trujillo